UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ASHLAND RESOURCE AREA

EA COVER SHEET

EA No. OR-110-03-09

Project Name/Number: Deer Creek - Conde Division Fence and Cattleguard

Location: NE1/4 of Section 35, Township 37 South, Range 2 East, Willamette Meridian, Jackson County

Interdisciplinary Team	**Responsibility**
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Environmental Assessment
for
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CHAPTER 1: PURPOSE AND NEED

A. Introduction

The Medford District BLM proposes to implement the Deer Creek - Conde Division Fence and Cattleguard project. The fence is needed to provide better control of livestock grazing between the Deer Creek-Reno allotment #0124 and the Conde Creek allotment #0117. The Deer Creek-Reno Grazing allotment is located mostly within the Deer and Lost Creek Watersheds, tributaries of Southfork of Little Butte Creek. The Conde allotment is located mostly within the upper Lost Creek, Soda Creek, and Conde Creek watersheds, also tributaries of the South Fork Little Butte Creek Watershed. The Deer Creek-Reno allotment is situated in the lower elevations (2400 to 4800 feet) and the Conde allotment is situated in the upper elevations (3,200 to 5,200 feet).

The project proposal is located approximately 16 miles east of Medford, Oregon. The legal description of the project area is T. 37 S., R. 2 E, in sections 25 and 35 (Map 1).

B. Purpose and Need for Proposal

Currently there is no physical division between the Deer Creek-Reno Lease into the Conde allotment, and cattle drift is causing over-utilization in portions of the Conde allotment. The fence and cattleguard are needed to inhibit cattle from drifting from the Deer Creek allotment to the Conde allotment. The need for the fence was identified in the Coordinated Resource Management Plan developed by the Cascade Ranch in 1991. Since the Deer Creek-Reno allotment was inactive for five years, the priority for implementing the project proposal was low. The allotment is now active and there is a need to implement the Deer Creek - Conde Division Fence and Cattleguard project to control cattle drift and over grazing in portions of the Conde allotment.

C. Conformance with Existing Land Use Plans

The proposed activities are in conformance with and tiered to the *Medford District Record of Decision and Resource Management Plan* (RMP) (USDI 1995) as amended by the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (USDI, USDA 2001). The RMP incorporates the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA and USDI 1994). These documents are available at the Medford BLM Office and the Medford BLM web site at http://www.or.blm.gov/Medford/. The RMP is tiered to the Medford Grazing Management Program Environmental Impact Statement (USDI 1984) and the Rangeland Program Summary and Record of Decision (USDI 1984).

D. Issues

An interdisciplinary team of resource specialists reviewed the proposal and pertinent information, and identified relevant issues to be addressed during the environmental analysis. Listed below are the relevant issues:

- Development within the Lost Lake Research Natural Area (RNA)
- Attainment of the Aquatic Conservation Strategy Objectives
- Threatened, Endangered, and Sensitive Species

CHAPTER 2: ALTERNATIVES

A. Alternatives Considered in Detail

Proposed Action Alternative

The proposed action would involve the installation of two sections of four-strand barbed wire fence, totaling approximately 0.5 mile of fencing. One section of proposed fencing would begin at the edge of a 100-foot bluff, and would follow along a ridgetop to another rock outcrop. The advantage of the proposed location is to utilize natural barriers to eliminate excessive fence construction. This fence section would intersect a trail utilized by cattle to access the upper Conde allotment from Section 26 (T. 37S, R2E). By closing off the trail, cattle could not easily access forage on the Conde allotment and would likely be discouraged from using the trail altogether. The second section of fence would be located along the NE boundary line of section 35, T37S, R2E, to discourage cattle from entering the Conde allotment from section 26. A cattleguard would be installed on the 37-2E-13 road located in the southeast ¼ of section 25 to inhibit cattle from accessing the upper elevations in the Conde allotment via the road system in that section. The selected site for the cattleguard also utilizes topography to minimize potential for cattle to drift around the cattle guard, thus, reducing fencing needs.

Both sections of fence would be constructed with four strands of barbed wire secured to a combination of treated wooden posts combined with metal t-posts. Trees would be used where possible to support the fence line and minimize fence post installation.

Project Design Features

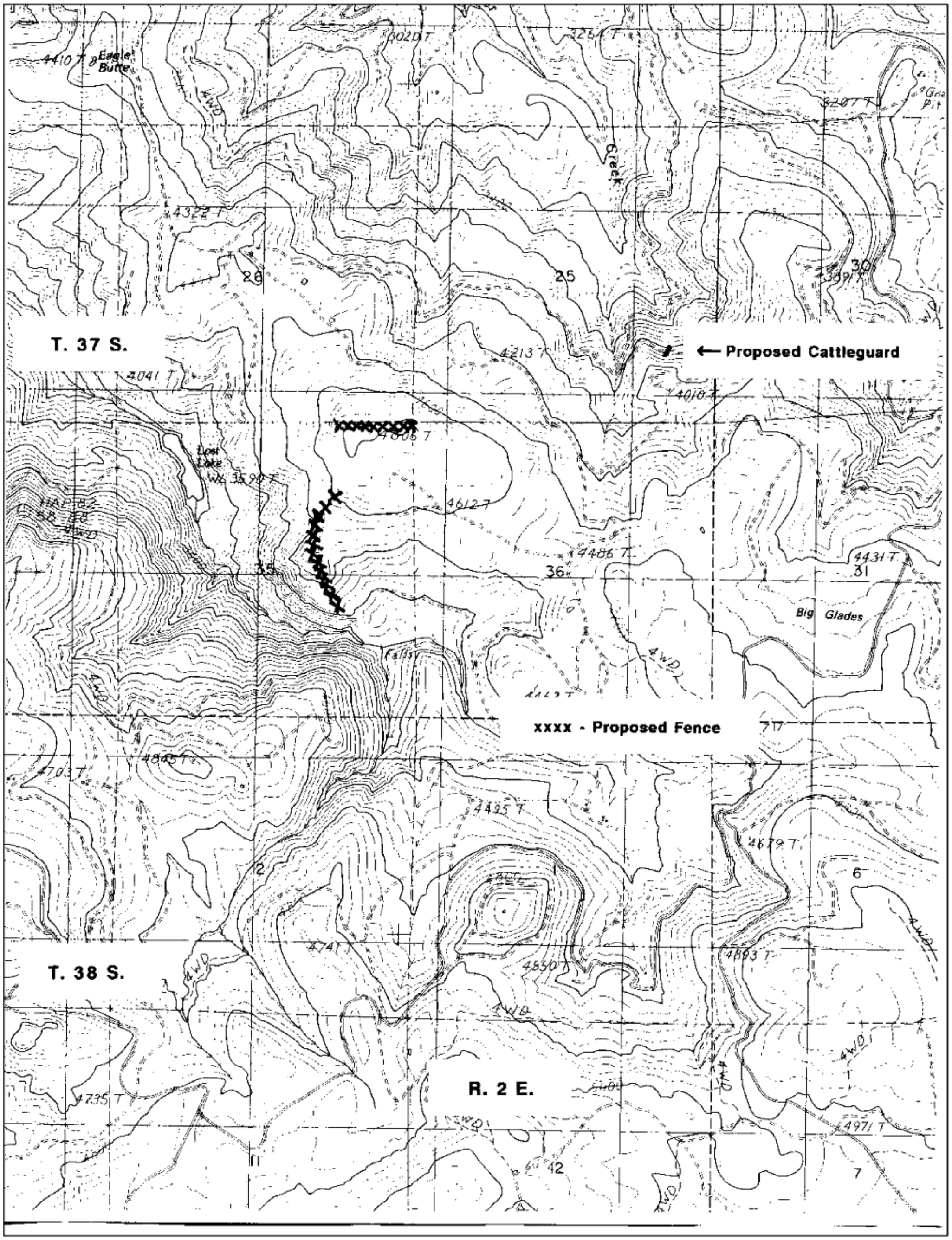
Protection of the Threatened northern spotted owl: If a power auger or other loud machinery were to be used to install wooden fence posts, a seasonal restriction would be in place on the use of such equipment within 0.25 mile of any known spotted owl activity center between March 1 and June 15 to minimize noise disturbance during the nesting period.

Tree protection: where trees are used for fence posts, secure wire to wooden slats to protect trees.

No-Action Alternative

Under the No-Action Alternative the fence would not be installed. Uncontrolled cattle drift would continue from the Deer Creek-Reno allotment into the Conde allotment. Vegetation in portions of the Conde allotment would continue to be impacted by over use.

Map 1. Proposed Action



B. Alternatives Considered But Eliminated Detailed Study

Electric fence powered by batteries has been used as a temporary fence to block cattle drift. An alternative to utilize electric fence on a permanent basis for the control of cattle drift was considered by the interdisciplinary team. This type of fencing requires regular (bi-weekly) maintenance to keep the fence operational. Deer and elk often knock the fence down, and debris or vegetation falling or growing across the fence cause the fence to short out and render the fence inoperable. When the fence is shorted out cattle easily cross the fence line. Based on experience of using electric fencing as a temporary system, electric fencing has proven to be ineffective for consistently controlling the drift of cattle from the Deer Creek to Conde allotments. Therefore, this alternative was eliminated from detailed study.

An alternative to completely fence the boundary of the Research Natural Area was suggested in response to the issue of development in the RNA and to completely exclude cattle from the RNA. The purpose and need for this project is to inhibit cattle from drifting from the Deer Creek allotment to the Conde allotment. An alternative to completely fence the RNA to excluded cattle from the RNA is outside the scope of the purpose and need for this project. Therefore, this alternative was eliminated from detailed study.

An alternative to construct the first section of fence along the official RNA boundary rather than within the RNA was considered by the ID Team to address the issue of development within the Lost Lake RNA. To accomplish the goal of blocking the existing cattle trail, this fence would be approximately one mile in length. This alternative would have involved more ground disturbance and the fence would have been more visible than the proposed action. Additionally, it was determined that the proposed action would not be in conflict with the values for which the Lost Lake RNA was established, and the alternative fence location would have little or no added benefit for meeting RNA objectives. Therefore, this alternative was eliminated from detailed study.

CHAPTER 3: AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This chapter briefly describes the environment that would be affected by the Proposed Action or No-Action Alternative, and discusses the environmental consequences of implementing each alternative considered in detail, in terms of the direct, indirect, and cumulative effects on the human environment. The analysis documented in this chapter provides the scientific and analytic basis for comparison of alternatives.

A. Wildlife

The areas various plant communities provide habitat for approximately 200 terrestrial wildlife species that are known or suspected to inhabit the watershed. The area contains important deer and elk winter range and summer habitat.

1. Affected Environment

Threatened/Endangered Species

The northern spotted owl, a species listed as threatened under the ESA, is present in the project area. A spotted owl nest core is near the areas proposed for fencing. There is a potential for the presence of bald eagles in the project area, listed as threatened under the ESA.

Special Status Species

For purposes of management action concerns, species are recognized as "special status" if they are federally listed as Threatened or Endangered, proposed for federal listing as Threatened or Endangered, or if they are a BLM sensitive or assessment species. BLM policy is to manage for the conservation of these species and their habitat so as not to contribute to the need to list and to recover these species. Fourteen special status wildlife species are known or suspected to be present in the vicinity of the project area (Table 1).

Survey and Manage/Protection Buffer Species

The RMP and Northwest Forest Plan, as amended by the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (USDA/USDI January 2001), provide protection for some species through Survey and Manage (S&M) standards and guidelines. The proposed project area was surveyed for the following S&M species: great gray owls *(Strix nebulosa),* and 3 species of terrestrial molluscs (*Helminthoglypta hertleini, Monadenia chaceana, and Trilobopsis tehamana*). There are no known sites containing S&M wildlife species in close proximity to the proposed fences.

Table 1. Special Status and Survey and Manage Species

Species	Status[1]
Western Pond Turtle (*Clemmys marmaorata*)	BS
Bald Eagle (*Hailaeetus leucocephalus*)	FT
Northern Goshawk (*Accipiter gentilis*)	BS
American Peregrine Falcon *(Falco peregrinus anatum)*	BS
Northern Spotted Owl (*Strix occidentalis caurina*)	FT
Great Gray Owl (*Strix nebulosa*)	S&M
Lewis' Woodpecker (*Asyndesmus lewis)*	BS
White-headed Woodpecker *(Picoides albolarvatus)*	BS
Streaked Horned Lark *(Eremophila alpestris strigata)*	BS
Fisher *(Martes pennanti)*	BS
Townsend's Big-eared Bat (*Corynorhinus townsendii*)	BS/S&M
Brazilian Free-tailed bat *(Tadarida braziliensis)*	BA
Papillose Tail Dropper *(Prophysaon dubium)*	BA
Siskiyou sideband (snail) *(Monadenia chaceana)*	S&M

1/ Status:
FT Listed as threatened under the ESA **BS** Bureau sensitive **BA** Bureau assessment
S&M Designated for protection in the NWFP under Survey and Manage guidelines

Most species have been identified in the Little Butte Creek watershed or on immediately surrounding lands. No systematic surveys have been conducted for the avian species. Some camera monitoring has been conducted for marten and fisher occurrence. To date, only marten have been verified; reliable anecdotal information places fishers within the Little Butte Creek watershed within the past 20 years.

2. Environmental Consequences

Direct, indirect, and cumulative effects
Due to the small scale of the proposed action, and included project design feature to mitigate noise disturbance, the environmental effects of implementing the proposed action would be negligible to wildlife species, including Special Status Species. The proposed fences are not expected to impede wildlife movement. Deer and elk would be able to easily jump over the proposed fences, and smaller animals would be able to pass underneath. The first section of fence (north-south) located predominately within a forested site and within the Lost Creek Research Natural Area, would inhibit cattle from using the northeast portion of the RNA. Implementation of the proposed fences and cattleguard could be a positive outcome to wildlife that inhabit the area due to preventing cattle drift and over-utilization of the Conde allotment.

The potential for effects to the northern spotted owl would be disturbance from power equipment (such as a power auger) that could be used for drilling postholes. In order to protect the nearby spotted owl nest core from noise disturbance during the reproductive period, a seasonal restriction on noise disturbance would be in effect from March 1 through June 15. The restriction would apply to noise disturbance from power augers or other loud machinery within 0.25 miles of the center of activity for the adjacent owl site.

Under the No-Action Alternative, potential impacts to wildlife would be from the resource damage caused by cattle drift and subsequent over-utilization of the Conde allotment.

B. Cultural Resources

The entire project area was surveyed for cultural resources and none were found. Therefore no negative impacts to cultural resources are anticipated.

C. Special Status Plants

1. Affected Environment

Vascular Plant Species
All of the proposed activity areas were surveyed for Bureau Special Status and Survey and Manage Vascular plants as well as the federally listed *Fritillaria gentneri* in the spring of 1999. No Bureau Special Status or Survey and Manage species were found within the proposed project area.

Nonvascular Plant Species
All of the proposed activity areas were surveyed for the presence of Survey and Manage and Bureau Special Status fungi, lichens and bryophytes in the fall of 2000. No Bureau Special Status or Survey and Manage species were found within the proposed project area.

2. Environmental Consequences

Direct, indirect, and cumulative effects
The implementation of either the proposed action or No-Action Alternative would have no direct, indirect, or cumulative effect on any Special Status, Survey and Manage or Federally listed (*Fritillaria gentneri)* vascular plant species. In addition, there would be no direct, indirect, or cumulative effect to any Bureau Special Status or Survey and Manage nonvascular plant species.

D. Soils

1. Affected Environment

The two sites to be fenced are both on very rocky soil types.

113E - McMullin - Rock outcrop complex, 3 to 35 percent slopes. Shallow, well-drained soil with a slight to moderate potential for erosion by water.

57E - Favra very cobbly loam, 12 to 35 percent, north slope. Deep, well drained soil with slight to moderated potential for erosion by water. The site might be appropriately be mapped as 56C since the slope is relatively flat. Both soils have similar properties and characteristics.

2. Environmental Consequences

Soil disturbance would be minimized by the use (where possible) of existing trees as fence posts. Based on project design, slope and soil characteristics, the proposed action would have negligible impact to soil resources. Under the No-Action Alternative there would be no-effect to soil resources from fence construction; however, there could be indirect impacts to soils if over grazing were to continue uncontrolled in the Conde allotment.

E. Fish

1. Affected Environment

Fish use within the Deer Creek-Reno allotment includes steelhead (*Oncorhynchus mykiss)* and cutthroat on Soda Creek in T 37S OR 3E Section 18, cutthroat in Deer Creek up to T 37 S R 2E Section 13, and steelhead, rainbow trout and unoccupied critical habitat for coho salmon (*Oncorhynchus kisutch)* on Lost Creek in T37S R2E Section 9. Past timber practices (such as clearcutting and regeneration harvesting) and road construction in riparian zones, instream wood removal, channel straightening, and rural residential development have all contributed to degradation in the quality of aquatic habitat (Little Butte Watershed Analysis p. 104).

Fish use in the Conde Creek allotment includes cutthroat in the top headwater of Lost Creek in Section 2, T38S, R3E and cutthroat in Conde Creek up to T38S, R3E Section 7.

2. Environmental Consequences

Direct, Indirect and Cumulative Effects
The building of the fences would have no direct, indirect, or cumulative effects on fish. The shift in utilization levels from the Conde Creek allotment to the Deer Creek-Reno allotment could have an indirect effect on fish if it were to lead to more utilization in the riparian areas in the Deer Creek-Reno allotment. However, range management continues to monitor vegetation use and riparian condition closely, and various range management practices are used to alleviate problems in riparian areas. Range management practices include the use of off stream water sources, salting, herding and fencing to control the distribution livestock throughout the

allotment and limit concentrations in the riparian areas as the grazing season progresses. When forage conditions and utilization monitoring indicates the need, cattle are moved through the allotment. As a result of these range management practices, there would be negligible indirect or cumulative effects to fish as a result of shifting the utilization levels back to Deer Creek-Reno allotment.

Under the No-Action Alternative, there would be negligible direct, indirect, or cumulative effects to fish from continued cattle drift to Conde allotment.

F. Attainment of Aquatic Conservation Strategy Objectives

The proposed fence would not be located within stream channels or Riparian Reserves. Fence construction would involve minimal disturbance, and any disturbance would be limited to the immediate project site. Implementation of the proposed action would not retard or prevent attainment of the Aquatic Conservation Strategy Objectives (ACS). Water quality, distribution, diversity and complexity of watershed features, spatial and temporal connectivity within and between watersheds, physical integrity of the aquatic system, the sediment regime, in-stream flows, species composition and structural diversity of plant communities in riparian areas and wetlands, populations of native plant, invertebrate, and vertebrate riparian-dependent species would all be maintained at current levels.

G. Research Natural Area (RNA)

1. Affected Environment

The Lost Lake RNA was established for its value as a natural low elevation lake in mixed conifer forest. The area has been grazed continuously since the late 1880's. At the time the area was evaluated for RNA status (early 1980's) the surrounding area was being grazed at the rate of 926 Animal Unit Months (AUMs). The RNA evaluation report stated that the grazing impact of elk and deer in the area has been greater than cattle grazing impacts. The current level of cattle grazing is 471 AUMs. Thus, the grazing level has been reduced since the establishment of the Lost Lake RNA.

2. Environmental Consequences

Direct, indirect, and cumulative effects
Under proposed action, the first section would be located partially within the official RNA boundary along the ridge that forms the lost creek canyon. The second section of fence would be constructed just outside of the RNA boundary along the northeast boundary line of section 35 (T37S, R2E). While the first section would be partially within the RNA boundary it would be located along the edge of an old timber harvest unit and a meadow along a tree line. The original RNA mapping showed this to be the edge of the proposed RNA, however, the official boundary mapped for the RMP created a straight north-to-south running line in this location rather than following the ridgeline. The fence location is well away from the values (Lost Lake) for which this RNA was established.

These fences would serve to further reduce the amount of grazing within the Lost Lake RNA by restricting access to cattle traveling from the north via the Deer Creek-Reno allotment. This project would not be in conflict with the original purpose for which this RNA was established, due to the distance from the Lake (about 0.4 mile), location at the top of the canyon, and location

within an area previously managed area (timber harvest unit).

Under the no action Alternative, grazing impact to the Research Natural Area would not improve under current use. The existing situation of cattle trails through the northeast corner of the Lost Lake RNA would continue.

H. CRITICAL ELEMENTS

The following elements of the human environment are subject to requirements specified in statute, regulation, or executive order and must be considered in all EAs.

Critical Element	Affected Yes	Affected No	Critical Element	Affected Yes	Affected No
Air Quality		✔	T & E Species		✔*
ACECs		✔*	Wastes, Hazardous/Solid		✔
Cultural Resources		✔	Water Quality		✔*
Farmlands, Prime/Unique		✔	Wetlands/Riparian Zones		✔*
Floodplains		✔	Wild & Scenic Rivers		✔
Nat. Amer. Rel. Concerns		✔	Wilderness		✔
Invasive, Nonnative Species		✔	Energy Resources (EO 13212)		✔
			Environmental Justice		✔

*****These affected critical elements could be impacted by the implementing the Proposed Action. Impacts are being avoided by project design.

******These affected critical elements would be impacted by implementing the Proposed Action. The impacts are being reduced by designing the Proposed Action with Best Management Practices, Management Action/Direction, Standard and Guidelines as outlined in the Environmental Impact Statements (EIS)/Record of Decisions *(RMP) (USDI BLM 1995)(USDA FS; USDI BLM 1994*) tiered to in Chapter 1. The impacts are not affected beyond those already analyzed by the above-mentioned documents.

CHAPTER 4: CONSULTATION WITH OTHERS

An interdisciplinary team of resource specialists reviewed the proposal and all pertinent information, and identified relevant issues to be addressed during the environmental analysis.

EA Availability and Distribution List

Upon completion of this EA, a legal notification was placed in the Medford Mail Tribune offering a public review and comment period. For additional information, please contact Kristi Mastrofini at (541) 618-2384.

This EA was distributed to the following agencies, organizations, lease holders, and tribes:

Organizations and Agencies

Association of O&C Counties
Audubon Society
Friends of the Greensprings
Jackson County Stockmen's Association
Medford Water Commission
Headwaters
Jackson County Commissioners
Jackson Co. Soil and Water Conservation District
Klamath Siskiyou Wildlands Center
Applegate River Watershed Council
Northwest Environmental Defense Center
Oregon Department Forestry
Oregon Natural Resources Council
Oregon Department of Fish and Wildlife
Rogue River National Forest (RRNF)
The Pacific Rivers Council
Southern Oregon University
Little Butte Creek Watershed Council

Grazing Lease Holders

Cascade Ranch
Stanley Trust

Federally Recognized Tribes

Cow Creek Band of Umpqua Indians
Confederated Tribes of Grand Ronde
Confederated Tribes of Siletz
Klamath Tribe
Quartz Valley Indian Reservation (Shasta Tribe)
Shasta Nation

Other Tribes

Confederated Bands [Shasta], Shasta Upper Klamath Indians
Confederated Tribes of the Rogue-table Rock and Associated Tribes

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References Cited

U.S. Department of Agriculture, Forest Service and U.S. Department of the Interior, Bureau of Land Management. 1994. *Record of Decision (ROD) for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*. Portland, OR.

U.S. Department of the Interior, Bureau of Land Management, Medford District Office. 1994. *Medford District Proposed Resource Management Plan/Environmental Impact Statement*. Medford, OR.

U.S. Department of the Interior, Bureau of Land Management, Medford District Office. 1995. *Medford District Record of Decision and Resource Management Plan*. Medford, OR.

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U. S. Department of the Interior, Bureau of Land Management, and U.S. Department of Agriculture, Forest Service. 1997. *Little Butte Creek Watershed Analysis, v. 1.2.* Medford, OR.